

IN RE:

NOEL AGUSTIN GARCIA RUIZ

DEBTOR(S)

CASE NO. 18-00033-ESL

CHAPTER 13

TRUSTEE'S REPORT ON CONFIRMATION

1. A meeting of creditors pursuant to Section 341 was held on 02/06/2018. The meeting was (was not) duly attended by debtor(s) and their attorney.

2. The liquidation value of the estate is: tbd

3. With respect to the attached payment plan:

AMENDED PLAN DATE: June 14, 2018

PLAN BASE: \$14,280.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 6/15/2018

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FAVORABLE

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UNFAVORABLE

1. [X] FEASIBILITY 11 USC § 1325(a)(6):

Debtor has \$300 in arrears. (2 mo)

2. [X] DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):

Plan does not provide for priority creditor Department of treasury claim #4. No provision for the post -fees filed by BPPR claim #3.

3. [X] DOMESTIC SUPPORT OBLIGATION:

• Post-petition payments § 1325(a)(8): Debtor has a child support obligation of \$546 mo with Mrs. Nathaly Diaz Cueto, provide evidence of being current from February through June.

4. [X] FAILS SECTION 1325(a)(9):

• IRS Tax Returns: Provide evidence of having file 1040 pr for the year 2015 and 2016.

[X] OTHER:

1) Plan needs to include who will make the current mortgage instalments; trustee or debtor. Check mark the applicable box. 2) Debtor needs to revise contradictory provision for creditor BPPR; on part 3.1 provides that mortgage arrears will be paid through the plan and in non-standard provisions indicates that debtor ex- spouse will pay the pre-petition arrears and will continue with the current post-petition mortgage payments. Also, plan needs to disclose who will pay the post-petition mortgage fees to be paid to BPPR in the amount of \$150. 3) Per 341 meeting debtor indicates that lease with First Federal Savings listed in Schedule G was listed by error. Debtor to amend schedule G accordingly. 5) Provision for child support disclose on part 4.5 needs to be relocated to part 4.4 as a priority debt. Trustee does not withdraw motion to dismiss filed at dkt 12, since, some of the issues are pending to be addressed by debtor.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Pedro R Medina

Pedro R Medina

Atty: ROBERTO FIGUEROA

USDC #226614

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

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CMC - DA